

COMMISSION DIRECTIVE

ADMINISTRATIVE MATTER

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DATE

May 28, 2008

MOTOR CARRIER MATTER

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DOCKET NO.

2007-401-E

UTILITIES MATTER

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ORDER NO.

SUBJECT:

DOCKET NO. 2007-401-E - Application of Beatrice Wallenstein (a/k/a Beatrice Weaver) for Change in Electric Service Provider – Discuss with the Commission a Motion for Joinder, Permissive Joinder, and/or Intervention of Gary Weaver as a Complainant/Petitioner along with Progress Energy Carolinas, Incorporated's Motion to Strike the Direct and Rebuttal Testimony of Gary Weaver.

COMMISSION ACTION:

Move that we deny Mrs. Beatrice Weaver's Motion for Joinder, Permissive Joinder, and/or Intervention of Gary Weaver as a Complainant/Petitioner. Since the Weavers have consistently represented to this body that Mr. Weaver neither owns nor resides at the residence which is the subject of this docket, he has no standing to intervene or be joined as a party. Further, I move that we grant Progress Energy's motion to strike Mr. Gary Weaver's direct and rebuttal pre-filed testimony on behalf of Mrs. Weaver, since such testimony repeats allegations which were disposed of in our Docket No. 2004-219-E, and that it is based on hearsay and not upon personal knowledge as to the quality of service provided by Progress Energy after Mr. Weaver left the residence in 2002.

PRESIDING: HamiltonSESSION: RegularTIME: 2:30 p.m.

	MOTION	YES	NO	OTHER
CLYBURN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
MITCHELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
MOSELEY	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WRIGHT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

RECORDED BY: J. Schmieding